

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

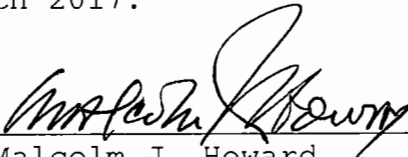
MERZ NORTH AMERICA, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	NO.: 5:15-CV-262-H-KS
	)	
CYTOPHIL, INC. d/b/a	)	
REGENSCIENTIFIC,	)	
	)	
Defendant.	)	
	)	
	)	
	)	
CYTOPHIL, INC	)	
	)	NO.: 5:16-CV-745-H-KS
Plaintiff,	)	
	)	
v.	)	
	)	
MERZ NORTH AMERICA, INC.,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the court on Cytophil's Motion for Preliminary Injunction filed in Cytophil, Inc. v. Merz North America, Inc., No. 5:16-CV-745-H-KS [DE #8]. Magistrate Judge Kimberly A. Swank filed a Memorandum and Recommendation ("M&R") on February 23, 2017, recommending that the motion be denied. Merz filed no objections to the M&R, and the time for doing so has expired. This matter is ripe for adjudication.

A full and careful review of the M&R and other documents of record convinces the court that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved. Accordingly, the court adopts the recommendation of the magistrate judge as its own. For the reasons stated therein, the motion for preliminary injunction [DE #8] is DENIED.

This 30<sup>th</sup> day of March 2017.

  
\_\_\_\_\_  
Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
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